

Cantwell	Inhofe	Rosen
Capito	Kaine	Rounds
Cardin	Kelly	Schatz
Carper	King	Schumer
Casey	Klobuchar	Shaheen
Collins	Leahy	Sinema
Coons	Lujan	Smith
Cornyn	Manchin	Stabenow
Cortez Masto	Markey	Sullivan
Duckworth	McConnell	Tester
Durbin	Menendez	Thune
Ernst	Merkley	Toomey
Feinstein	Moran	Van Hollen
Fischer	Murkowski	Warner
Gillibrand	Murphy	Warnock
Grassley	Murray	Warren
Hassan	Ossoff	Whitehouse
Heinrich	Padilla	Wicker
Hickenlooper	Peters	Wyden
Hirono	Portman	Young
Hoever	Reed	
Hyde-Smith	Romney	

## NAYS—22

Blackburn	Hagerty	Risch
Boozman	Hawley	Rubio
Braun	Johnson	Scott (FL)
Cassidy	Lankford	Scott (SC)
Cotton	Lee	Shelby
Crapo	Lummis	Tuberville
Cruz	Marshall	
Daines	Paul	

## NOT VOTING—8

Barrasso	Graham	Sasse
Burr	Kennedy	Tillis
Cramer	Sanders	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. PETERS). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

# AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023

The PRESIDING OFFICER. The Senate will resume legislative session.

The clerk will report the pending business.

The legislative clerk read as follows:

House message to accompany H.R. 2617, a bill to amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, taking action on the following amendments and motions proposed thereto.

Pending:

Schumer motion to concur in the amendment of the House to the amendment of the Senate No. 4 to the bill, with Schumer (for Leahy) amendment No. 6552, in the nature of a substitute.

Schumer amendment No. 6571 (to amendment No. 6552), to add an effective date.

Schumer motion to refer the message of the House on the bill to the Committee on Appropriations, with instructions, Schumer amendment No. 6572, to add an effective date.

Schumer amendment No. 6573 (to the instructions (amendment No. 6572) of the motion to refer), to modify the effective date.

Schumer amendment No. 6574 (to amendment No. 6573), to modify the effective date.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the following

be the only matters remaining in order to the House message with respect to H.R. 2617; that the amendments be called up en bloc, reported by number, and considered in order: Paul, No. 6561, and a motion to waive; Johnson, No. 6555; Johnson, No. 6559; Sinema-Tester, No. 6621; Lee, No. 6563; Lee, No. 6576; Lankford, No. 6577; Braun, No. 6569; Cassidy, No. 6558; Padilla-Cornyn, No. 6588; Graham, No. 6596; Merkley, No. 6595; Klobuchar-Lee, No. 6597; Gillibrand, No. 6607; Menendez-Cotton, No. 6617; that the Senate then proceed to the immediate consideration of the Scott of Florida bill that is at the desk; that the bill be considered read a third time and the Senate vote on passage of the bill; that if the bill is passed, the motion to reconsider be considered made and laid upon the table; that upon disposition of the Scott bill, the Senate resume consideration of the House message; further, that the Senate then vote on the motion to waive, if made, and in relation to the amendments in the order listed; that upon disposition of the amendments, the motion to refer be withdrawn, amendment No. 6571 be withdrawn, and the Senate then vote on the motion to concur in the House amendment to the Senate amendment No. 4 to H.R. 2617 with amendment No. 6552, as amended, if amended, with 2 minutes for debate equally divided between each vote and all votes after the first vote be 10-minute votes, with 60 affirmative votes required for passage of the Scott bill, the motion to concur with amendment, and the adoption of all amendments except No. 6555, No. 6577, No. 6563, and No. 6576; finally, that if the motion to concur with amendment is agreed to, the motion to reconsider be considered made and laid upon the table, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, we have an agreement now. We will vote on all of the amendments in order and then vote on final passage. It has taken a while, but it is worth it. And I appreciate the cooperation of everyone here.

The first vote will take a while, until the Members can assemble. But after that, I hope, we intend that everyone will sit in their seat and we vote through the amendments quickly. As we know, the storm is coming. We want to have people vote, get the bill done, but then be able to go home once we have done our work.

So please cooperate, and no appointments far away. We are going to vote quickly, 10-minute votes on each, and, hopefully, Members will sit in their chairs.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NOS. 6561, 6555, 6569, 6621, 6563, 6576, 6577, 6569, 6558, 6588, 6596, 6595, 6597, 6607, 6617

The PRESIDING OFFICER. Under the previous order, the following amendments will be called en bloc and reported by number.

The legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes amendments en bloc numbered 6561, 6555, 6569, 6621, 6563, 6576, 6577, 6569, 6558, 6588, 6596, 6595, 6597, 6607, 6617.

The amendments are as follows:

## AMENDMENT NO. 6561

(Purpose: To increase the voting threshold for budget points of order)

At the appropriate place, insert the following:

## SEC. \_\_\_\_ . VOTING THRESHOLD FOR BUDGET POINTS OF ORDER.

(a) DEFINITION.—In this section, the term “covered point of order” means a point of order under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.), the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 931 et seq.), or a concurrent resolution on the budget.

(b) VOTING THRESHOLD.—In the Senate—

(1) a covered point of order may be waived only by the affirmative vote of two-thirds of the Members, duly chosen and sworn; and

(2) an affirmative vote of two-thirds of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a covered point of order.

## AMENDMENT NO. 6555

(Purpose: To eliminate all earmarks in the bill)

On page 6, after line 2, add the following:

## SEC. 7. ELIMINATION OF EARMARKS.

(a) IN GENERAL.—Notwithstanding any other provision of any division of this Act—

(1) no amounts shall be made available for a purpose specified in any table relating to congressionally directed spending in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), or for any congressionally directed spending in any division of this Act, and each such item of congressionally directed spending is null and void;

(2) each appropriation under any division of this Act shall be reduced by the amount of any allocation of such appropriation for congressionally directed spending items that is made null and void by paragraph (1); and

(3) each allocation of an appropriation under any division of this Act shall be reduced by the amount of any further allocation of such allocation of an appropriation for congressionally directed spending items that is made null and void by paragraph (1).

(b) REPORT.—The Director of the Office of Management and Budget shall submit to Congress a report indicating the final amount appropriated for each appropriation account for which amounts are made available under any division of this Act and the amount of each allocation of such an appropriation, as reduced in accordance with subsection (a).

## AMENDMENT NO. 6569

(Purpose: To eliminate a waiver of State immunity)

Strike section \_\_\_\_ 6 (relating to a waiver of State immunity).

## AMENDMENT NO. 6621

(Purpose: To appropriate amounts for the Executive Office for Immigration Review, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, the

Federal Emergency Management Agency, U.S. Citizenship and Immigration Services, refugee and entrant assistance, and other Federal agencies.)

(The amendment is printed in today's RECORD under "Text of Amendments.")

#### AMENDMENT NO. 6563

(Purpose: To prohibit the expenditure of Federal funds to terminate the prohibitions on entry into the United States that are commonly referred to as Title 42)

On page 757, between lines 15 and 16, insert the following:

SEC. 550. None of the funds provided by this Act may be obligated or expended to terminate the prohibitions on entry into the United States issued pursuant to sections 362 and 365 of the Public Health Service Act (42 U.S.C. 265 and 268) as a result of the public health emergency relating to the Coronavirus Disease 2019 (COVID-19) pandemic declared under section 319 of such Act (42 U.S.C. 247d) on January 31, 2020 (popularly known as "Title 42").

#### AMENDMENT NO. 6576

(Purpose: To provide for the continuation of pay and benefits for Lieutenant Ridge Alkonis)

On page 410, after line 25, add the following:

SEC. 8145. The Secretary of the Navy shall continue to provide pay and allowances to Lieutenant Ridge Alkonis, United States Navy, until such time as the Secretary of the Navy makes a determination with respect to the separation of Lieutenant Alkonis from the Navy.

#### AMENDMENT NO. 6577

(Purpose: To establish a rule of construction relating to religious entities)

Strike section \_\_\_\_7(b) and insert the following:

(b) **RULE OF CONSTRUCTION.**—This division shall not be construed to require a religious entity described in section 702(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-1(a)) to make an accommodation that would violate the entity's religion (as defined in section 701(j) of such Act (42 U.S.C. 2000e(j))).

#### AMENDMENT NO. 6569

(Purpose: To eliminate a waiver of State immunity)

Strike section \_\_\_\_6 (relating to a waiver of State immunity).

#### AMENDMENT NO. 6558

(Purpose: To eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.)

(The amendment is printed in today's RECORD under "Text of Amendments.")

#### AMENDMENT NO. 6588

(Purpose: To amend title VI of the Social Security Act to allow States and local governments to use coronavirus relief funds provided under the American Rescue Plan Act for infrastructure projects, improve the Local Assistance and Tribal Consistency Fund, provide Tribal governments with more time to use Coronavirus Relief Fund payments, and for other purposes.)

(The amendment is printed in today's RECORD under "Text of Amendments.")

#### AMENDMENT NO. 6596

(Purpose: To authorize the transfer of the proceeds of certain forfeited property to help Ukraine recover from the harms caused by the ongoing Russian aggression)

On page 1857, after line 23, add the following:

SEC. 1708. (a) The Attorney General may transfer to the Secretary of State the proceeds of any covered forfeited property for use by the Secretary of State to provide assistance to Ukraine to remediate the harms of Russian aggression towards Ukraine. Any such transfer shall be considered foreign assistance under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), including for purposes of making available the administrative authorities and implementing the reporting requirements contained in that Act.

(b) Not later than 15 days after any transfers made pursuant to subsection (a), the Attorney General, in consultation with the Secretary of the Treasury and the Secretary of State, shall submit a report describing such transfers to the appropriate congressional committees.

(c) In this section:

(1) The term "appropriate congressional committees" means—

(A) the Committee on the Judiciary of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(D) the Committee on Appropriations of the Senate;

(E) the Committee on the Judiciary of the House of Representatives;

(F) the Committee on Foreign Affairs of the House of Representatives;

(G) the Committee on Financial Services of the House of Representatives; and

(H) the Committee on Appropriations of the House of Representatives.

(2) The term "covered forfeited property" means property forfeited under chapter 46 or section 1963 of title 18, United States Code, which property belonged to, was possessed by, or was controlled by a person subject to sanctions and designated by the Secretary of the Treasury or the Secretary of State, or which property was involved in an act in violation of sanctions enacted pursuant to Executive Order 14024, and as expanded by Executive Order 14066 of March 8, 2022, and relied on for additional steps taken in Executive Order 14039 of August 20, 2021, and Executive Order 14068 of March 11, 2022.

(d) The authority under this section shall apply to any covered forfeited property forfeited on or before May 1, 2025.

#### AMENDMENT NO. 6595

(Purpose: To amend the Fair Labor Standards Act of 1938 to expand access to breastfeeding accommodations in the workplace, and for other purposes.)

(The amendment is printed in today's RECORD under "Text of Amendments.")

#### AMENDMENT NO. 6597

(Purpose: To improve the bill)

Strike division GG and insert the following:

### **DIVISION GG—MERGER FILING FEE MODERNIZATION**

#### **SEC. 101. SHORT TITLE.**

This division may be cited as the "Merger Filing Fee Modernization Act of 2022".

#### **TITLE I—MODERNIZING MERGER FILING FEE COLLECTIONS; ACCOUNTABILITY REQUIREMENTS; LIMITATION ON FUNDING**

#### **SEC. 101. MODIFICATION OF PREMERGER NOTIFICATION FILING FEES.**

Section 605 of Public Law 101-162 (15 U.S.C. 18a note) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "\$45,000" and inserting "\$30,000";

(ii) by striking "\$100,000,000" and inserting "\$161,500,000";

(iii) by striking "2004" and inserting "2023"; and

(iv) by striking "2003" and inserting "2022";

(B) in paragraph (2)—

(i) by striking "\$125,000" and inserting "\$100,000";

(ii) by striking "\$100,000,000" and inserting "\$161,500,000";

(iii) by striking "but less" and inserting "but is less"; and

(iv) by striking "and" at the end;

(C) in paragraph (3)—

(i) by striking "\$280,000" and inserting "\$250,000"; and

(ii) by striking the period at the end and inserting "but is less than \$1,000,000,000 (as so adjusted and published);"; and

(D) by adding at the end the following:

"(4) \$400,000 if the aggregate total amount determined under section 7A(a)(2) of the Clayton Act (15 U.S.C. 18a(a)(2)) is not less than \$1,000,000,000 (as so adjusted and published) but is less than \$2,000,000,000 (as so adjusted and published);

"(5) \$800,000 if the aggregate total amount determined under section 7A(a)(2) of the Clayton Act (15 U.S.C. 18a(a)(2)) is not less than \$2,000,000,000 (as so adjusted and published) but is less than \$5,000,000,000 (as so adjusted and published); and

"(6) \$2,250,000 if the aggregate total amount determined under section 7A(a)(2) of the Clayton Act (15 U.S.C. 18a(a)(2)) is not less than \$5,000,000,000 (as so adjusted and published)."; and

(2) by adding at the end the following:

"(c)(1) For each fiscal year commencing after September 30, 2023, the filing fees in this section shall be increased by an amount equal to the percentage increase, if any, in the Consumer Price Index, as determined by the Department of Labor or its successor, for the year then ended over the level so established for the year ending September 30, 2022.

"(2) As soon as practicable, but not later than January 31 of each year, the Federal Trade Commission shall publish the adjusted amounts required by paragraph (1).

"(3) The Federal Trade Commission shall not adjust amounts required by paragraph (1) if the percentage increase described in paragraph (1) is less than 1 percent.

"(4) An amount adjusted under this section shall be rounded to the nearest multiple of \$5,000."

#### **SEC. 102. REPORTING REQUIREMENTS FOR MERGER FEE COLLECTIONS.**

(a) **FTC AND DOJ JOINT REPORT.**—For each of fiscal years 2023 through 2027, the Federal Trade Commission and Department of Justice shall jointly and annually report to the Congress on the operation of section 7A of the Clayton Act (15 U.S.C. 18a) and shall include in such report the following:

(1) The amount of funds made available to the Federal Trade Commission and the Department of Justice, respectively, from the premerger notification filing fees under this section, as adjusted by the Merger Filing Fee Modernization Act of 2022, as compared to the funds made available to the Federal Trade Commission and the Department of Justice, respectively, from premerger notification filing fees as the fees were determined in fiscal year 2022.

(2) The total revenue derived from premerger notification filing fees, by tier, by the Federal Trade Commission and the Department of Justice, respectively.

(3) The gross cost of operations of the Federal Trade Commission, by Budget Activity, and the Antitrust Division of the Department of Justice, respectively.

(b) **FTC REPORT.**—The Federal Trade Commission shall include in the report required under subsection (a), in addition to the requirements under subsection (a), for the previous fiscal year—

(1) for actions with respect to which the record of the vote of each member of the Federal Trade Commission is on the public record of the Federal Trade Commission, a list of each action with respect to which the Federal Trade Commission took or declined to take action on a 3 to 2 vote; and

(2) for all actions for which the Federal Trade Commission took a vote, the percentage of such actions that were decided on a 3 to 2 vote.

(c) SUMMARY.—The Federal Trade Commission and the Department of Justice shall make the report required under subsection (a) available to the Committees on the Judiciary of the House of Representatives and of the Senate, and shall, for fiscal years 2023 through 2027, no later than July 1, present a summary of the joint annual report for the preceding fiscal year, including the information required in subsections (a) and (b) of this section, to the Committees on the Judiciary of the House of Representatives and of the Senate.

## TITLE II—DISCLOSURE OF SUBSIDIES BY FOREIGN ADVERSARIES

### SEC. 201. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Foreign subsidies, which can take the form of direct subsidies, grants, loans (including below-market loans), loan guarantees, tax concessions, preferential government procurement policies, or government ownership or control, can distort the competitive process by enabling the subsidized firm to submit a bid higher than other firms in the market, or otherwise change the incentives of the firm in ways that undermine competition following an acquisition.

(2) Foreign subsidies are particularly problematic when granted by countries or entities that constitute a strategic or economic threat to United States interests.

(3) The Made in China 2025 plan, states that the Chinese Communist Party will “support enterprises to carry out mergers and acquisitions (M&A), equity investment, and venture capital overseas”.

(4) The 2020 report to Congress from the bipartisan U.S.-China Economic and Security Review Commission concluded that the Chinese Government subsidizes companies with a goal of their expanding into the United States and other countries, finding that “[t]his process assists Chinese national champions in surpassing and supplanting global market leaders”. The report warns that the risk is particularly acute when it comes to emerging technologies, where China seeks to “surpass and displace the United States altogether [and that] [f]ailure to appreciate the gravity of this challenge and defend U.S. competitiveness would be dire . . . [and] risks setting back U.S. economic and technological progress for decades”.

(5) In remarks before the Hudson Institute on December 8, 2020, FTC Commissioner Noah Phillips stated, “[O]ne area where antitrust needs to reckon with the strategic interests of other nations is when we scrutinize mergers or conduct involving state-owned entities . . . companies that are controlled, to varying degrees, by the state . . . [and] often are a government tool for implementing industrial policies or to protect national security”.

(b) PURPOSE.—The purpose of this section is to require parties providing pre-merger notifications to include in the notification required under section 7A of the Clayton Act (15 U.S.C. 18a) information concerning subsidies they receive from countries or entities that are strategic or economic threats to the United States.

### SEC. 202. MERGERS INVOLVING FOREIGN GOVERNMENT SUBSIDIES.

(a) DEFINITION.—In this section, the term “foreign entity of concern” has the meaning given the term in section 40207 of the Infrastructure Investment and Jobs Act (42 U.S.C. 18741(a)).

(b) ACCOUNTING FOR FOREIGN GOVERNMENT SUBSIDIES.—A person required to file a notification under section 7A of the Clayton Act (15 U.S.C. 18a) that received a subsidy from a foreign entity of concern shall include in such notification content regarding such subsidy.

(c) AUTHORITY OF ANTITRUST REGULATORS.—The Federal Trade Commission, with the concurrence of the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice, and in consultation with the Chairperson of the Committee on Foreign Investment in the United States, the Secretary of Commerce, the Chair of the United States International Trade Commission, the United States Trade Representative, and the heads of other appropriate agencies, and by rule in accordance with section 553 of title 5, United States Code, shall require that the notification required under subsection (b) be in such form and contain such documentary material and information relevant to a proposed acquisition as is necessary and appropriate to enable the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice to determine whether such acquisition may, if consummated, violate the antitrust laws.

(d) EFFECTIVE DATE.—Subsection (b) shall take effect on the date on which the rule described in subsection (c) takes effect.

## TITLE III—VENUE FOR STATE ANTITRUST ENFORCEMENT

### SEC. 301. VENUE FOR STATE ANTITRUST ENFORCEMENT.

Section 1407 of title 28, United States Code, is amended—

(1) in subsection (g) by inserting “or a State” after “United States” and striking “; but shall not include section 4A of the Act of October 15, 1914, as added July 7, 1955 (69 Stat. 282; 15 U.S.C. 15a)”;

(2) by striking subsection (h).

AMENDMENT NO. 6607

(Purpose: To establish a World Trade Center Health Program Supplemental Fund)

At the end of division FF, add the following:

## TITLE VII—SUPPLEMENTAL FUNDING FOR THE WORLD TRADE CENTER HEALTH PROGRAM

### SEC. 7701. SUPPLEMENTAL FUNDING FOR THE WORLD TRADE CENTER HEALTH PROGRAM.

(a) IN GENERAL.—Title XXXIII of the Public Health Service Act (42 U.S.C. 300mm et seq.) is amended by adding at the end the following:

#### “SEC. 3352. SUPPLEMENTAL FUND.

“(a) IN GENERAL.—There is established a fund to be known as the World Trade Center Health Program Supplemental Fund (referred to in this section as the ‘Supplemental Fund’), consisting of amounts deposited into the Fund under subsection (b).

“(b) AMOUNT.—Out of any money in the Treasury not otherwise appropriated, there is appropriated for fiscal year 2023 \$1,000,000,000, for deposit into the Supplemental Fund, which amounts shall remain available through fiscal year 2032.

“(c) USES OF FUNDS.—Amounts deposited into the Supplemental Fund under subsection (b) shall be available, without further appropriation and without regard to any spending limitation under section

3351(c), to the WTC Program Administrator as needed at the discretion of such Administrator, for carrying out any provision in this title, including sections 3303 and 3341(c).

“(d) RETURN OF FUNDS.—Any amounts that remain in the Supplemental Fund on September 30, 2032, shall be deposited into the Treasury as miscellaneous receipts.”.

(b) CONFORMING AMENDMENTS.—Title XXXIII of the Public Health Service Act (42 U.S.C. 300mm et seq.) is amended—

(1) in section 3311(a)(4)(B)(i)(II) (42 U.S.C. 300mm–21(a)(4)(B)(i)(II)), by striking “section 3351” and inserting “sections 3351 and 3352”;

(2) in section 3321(a)(3)(B)(i)(II) (42 U.S.C. 300mm–31(a)(3)(B)(i)(II)), by striking “section 3351” and inserting “sections 3351 and 3352”;

(3) in section 3331 (42 U.S.C. 300mm–41)—

(A) in subsection (a), by inserting “and the World Trade Center Health Program Supplemental Fund” before the period at the end; and

(B) in subsection (d)—

(i) in paragraph (1)(B), by inserting “(excluding any expenditures from amounts in the World Trade Center Health Program Supplemental Fund under section 3352)” before the period at the end; and

(ii) in paragraph (2), in the flush text following subparagraph (C), by inserting “(excluding any expenditures from amounts in the World Trade Center Health Program Supplemental Fund under section 3352)” before the period at the end; and

(4) in section 3351(b) (42 U.S.C. 300mm–61(b))—

(A) in paragraph (2), by inserting “or as available from the World Trade Center Health Program Supplemental Fund under section 3352” before the period at the end; and

(B) in paragraph (3), by inserting “or as available from the World Trade Center Health Program Supplemental Fund under section 3352” before the period at the end.

(c) PREVENTION AND PUBLIC HEALTH FUND.—Section 4002(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 300u–11(b)) is amended—

(1) in paragraph (8), by striking “\$1,800,000,000; and” and inserting “\$1,525,000,000;”;

(2) by striking paragraph (9) and inserting the following:

“(9) for each of fiscal years 2028 and 2029, \$1,725,000,000; and”;

(3) by adding at the end the following:

“(10) for fiscal year 2030 and each fiscal year thereafter, \$2,000,000,000.”.

### SEC. 7702. RESEARCH COHORT FOR EMERGING HEALTH IMPACTS ON YOUTH.

(a) IN GENERAL.—Section 3341 of the Public Health Service Act (42 U.S.C. 300mm–51) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “With respect” through “subtitle B, the” and inserting “The”; and

(B) by striking “of such individuals” each place it appears;

(2) in subsection (b)(1), by inserting “and individuals who were exposed within a geographic area related to the September 11, 2001, terrorist attacks in a manner similar to the exposure within such geographic area experienced by individuals meeting the eligibility criteria under section 3311(a)(2) or 3321(a)(1)(B)” after “treatment”;

(3) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(4) by inserting after subsection (b) the following:

“(c) RESEARCH COHORT FOR EMERGING HEALTH IMPACTS ON YOUTH.—

“(1) IN GENERAL.—The WTC Program Administrator, in consultation with the Secretary of Education, shall establish a research cohort of sufficient size to conduct future research studies on the health and educational impacts of exposure to airborne toxins, or any other hazard or adverse condition, resulting from the September 11, 2001, terrorist attacks, including on the population of individuals who were 21 years of age or younger at the time of exposure, including such individuals who are screening-eligible WTC survivors or certified-eligible WTC survivors.”

“(2) POPULATIONS STUDIED.—The research cohort under paragraph (1) may include—

“(A) individuals who, on September 11, 2001, were 21 years of age or younger and were—

“(i) outside the New York City disaster area; and

“(ii) in—

“(I) the area of Manhattan not further north than 14th Street; or

“(II) Brooklyn; and

“(B) control populations, including populations of individuals who, on September 11, 2001, were 21 years of age or younger.”

(b) FUNDING.—Section 3351(b) of such Act (42 U.S.C. 300mm-61(b)) is amended by inserting after paragraph (3) the following:

“(4) LIMITATION FOR RESEARCH COHORT FOR EMERGING HEALTH IMPACTS ON YOUTH.—Notwithstanding paragraph (1), the amounts made available under such paragraph may not be used for fiscal years 2023 through 2032 to carry out subsection (c) of section 3341.”

(c) CONFORMING AMENDMENT.—Section 3301(f)(2)(E) of such Act (42 U.S.C. 300mm(f)(2)(E)) is amended by striking “section 3341(a)” and inserting “subsection (a) or (c) of section 3341”.

#### AMENDMENT NO. 6617

(Purpose: To improve the Justice for United States Victims of State Sponsored Terrorism Act.)

(The amendment is printed in today's RECORD under “Text of Amendments.”)

Mr. SCHUMER. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCOTT of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 5355, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 5355) making emergency supplemental appropriations for disaster relief for the fiscal year ending September 30, 2023, and for other purposes.

The PRESIDING OFFICER. There is now 2 minutes of debate, equally divided.

The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, immediately after Hurricane Ian

passed, I made clear that I would fight for and support a standalone disaster aid package to get Floridians the assistance they need to recover.

On September 30, just 2 days after Ian made its catastrophic landfall near Fort Myers, FL, I wrote to my colleagues urging them to work with me on getting much needed aid to Florida families as quickly as possible.

Immediately after, the aid Floridians desperately needed was delayed so that it could be stuffed into this massive and reckless \$1.7 trillion omnibus bill. While that is disappointing enough, I have now heard from Floridians, especially our growers in agriculture, that without changes, this disaster aid will not be delivered in the most efficient and effective way possible to ensure their recovery.

We should take this opportunity to act on their concerns today and make needed changes that ensure this Federal disaster aid does as much good as possible. There is no reason to delay this further. I urge my colleagues to stand with those recovering from these terrible storms and the folks who put the food on our tables. Please support this bill.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I spoke on this matter earlier this week, and I still agree with the Senator from Florida that we have a responsibility to help Americans in the wake of disasters. It does not matter if you are a Republican or a Democrat, or if you are from a blue State or a red State. As Americans, we have to stand together to help our communities recover and rebuild.

I have done that on this floor for 48 years—voting for disaster bills for all States. But I believe in reality, not rhetoric. We don't have time to play politics or for sound bites. We have to enact the omnibus bill now, and that will get the aid to people in Florida and other communities that need it most.

So I would urge all Senators to vote for the omnibus, and let us get these things done. It is time to go forward. We don't have time for further delay.

The PRESIDING OFFICER (Ms. ROSEN). Under the previous order, the bill is considered read a third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. SCOTT of Florida. I ask for the yeas and nays.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. Kaine) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator

from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), and the Senator from Nebraska (Mr. SASSE).

The result was announced—yeas 22, nays 73, as follows:

[Rollcall Vote No. 407 Leg.]

#### YEAS—22

Blackburn	Hawley	Scott (SC)
Blunt	Hyde-Smith	Sullivan
Braun	Johnson	Tillis
Cassidy	Kennedy	Tuberville
Crapo	Lummis	Wicker
Cruz	Risch	Young
Daines	Rubio	
Hagerty	Scott (FL)	

#### NAYS—73

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Portman
Blumenthal	Hirono	Reed
Booker	Hoeven	Romney
Boozman	Inhofe	Rosen
Brown	Kelly	Rounds
Cantwell	King	Sanders
Capito	Klobuchar	Schatz
Cardin	Lankford	Schumer
Carper	Leahy	Shaheen
Casey	Lee	Shelby
Collins	Lujan	Sinema
Coons	Manchin	Smith
Cornyn	Markey	Stabenow
Cortez Masto	Marshall	Tester
Cotton	McConnell	Thune
Duckworth	Menendez	Toomey
Durbin	Merkley	Van Hollen
Ernst	Moran	Warner
Feinstein	Murkowski	Warnock
Fischer	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden
Grassley	Padilla	
Hassan	Paul	

#### NOT VOTING—5

Barrasso	Cramer	Sasse
Burr	Kaine	

The PRESIDING OFFICER. On this vote, the yeas are 22, the nays are 73.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the bill is not passed.

The bill (S. 5355) was rejected.

#### AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2023—Continued

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Madam President, now, may I have the attention of everybody, please?

OK. I urge everybody to stay in their seats. We are having 10-minute votes. We have to get out of here as quickly as possible, so we need cooperation from everybody. OK? Thank you.

The PRESIDING OFFICER. The Senator from Kentucky.

#### POINT OF ORDER

Mr. PAUL. Madam President, for years, Members of Congress have lamented their inability to control spending and debt. On rare occasions, though, Congress has actually passed rules to try to tame their primal urge to borrow and spend.

From Gramm-Rudman-Hollings to PAYGO, good legislation is out there to restrain deficit spending, only to be universally ignored and rejected by future Congresses.